

REMARKS/ARGUMENTS

Prior to the entry of this Amendment, claims 1, 7, 9-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49, and 51-54 were pending in this application. Claims 1, 16, 27, 38, 43, and 48 have been amended, no claims have been canceled, and claims 55-57 have been added herein. Therefore, claims 1, 7, 9-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49, and 51-57 are now pending in this application. Applicants request reconsideration of these claims for at least the reasons presented below.

Notice of Non-Compliant Amendment

The applicants filed an Amendment in response to the Office Action on December 18, 2009. A Notice of Non-Compliant Amendment mailed March 16, 2010 states that changes made to at least claims 43 and 48 were not appropriately marked, and that claim 21 includes a status identifier of “previously presented” but contains underlining within the claim suggesting that the claim may have been intended to be amended, and further stating that it is not clear if the other claims may contain remaining issues that might result in a finding of non compliance. Appropriate correction has been made herein removing the underlining of the word “a” in claim 21, which was made in a previous amendment filed July 1, 2009, and by underlining the newly added punctuation within claims 43 and 48. The remaining claims are in compliance with 37 CFR 1.121(c)(2). In addition to those amendments, and as described below, this Amendment duplicates the amendments and arguments introduced in the December 18, 2009 Amendment.

35 U.S.C. § 102 Rejection, Hardy

The final Office Action rejected claims 1, 7, 9-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49, and 51-54 under 35 U.S.C. §102(e) as being anticipated by U. S. Patent No.

6,073,242 to Hardy et al. (hereinafter “Hardy”). The Applicants respectfully submit the following arguments pointing out significant differences between claims 1, 7, 9-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49, and 51-54 submitted by the Applicant and Hardy.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully argues that Hardy fails to disclose each and every claimed element. For example, Hardy fails to disclose, either expressly or inherently, a first workflow which calls for obtaining an approval before performing a certificate related action for users having a first user type and a second workflow which does not call for obtaining an approval before performing a certificate related action_for users having a second user type. Hardy also fails to disclose obtaining an approval from an entity identified in a user profile for the user and obtaining a certificate based on that approval. Furthermore, Hardy does not disclose, expressly or inherently, obtaining and maintaining a real time status for certificates as recited in the pending claims.

Hardy is directed to “an authority server that supports the implementation of role-based enterprise policies for expressing and exercising authority and the projection and transfer of those authorities over networks of communicating electronic systems.” (Col. 3, line 23-27) Under Hardy, “the authority server exclusively embodies the authorities of the enterprise and allows its users to indirectly wield those authorities only as permitted by enterprise policies.” (Col. 3, lines 28-31) That is, Hardy describes issuing representations of authority based on application of enterprise policies. See generally col. 3, line 23 – col. 4, line 51.

However, Hardy fails to disclose, either expressly or inherently, a first workflow which calls for obtaining an approval before performing a certificate related action for users having a first user type and a second workflow which does not call for obtaining an approval

before performing a certificate related action for users having a second user type. Hardy also fails to disclose such an entity identified in a user profile for the user. Hardy does not disclose one of the workflows requiring approval for a certificate action while another does not. That is, Hardy does not disclose, expressly or inherently, selecting workflows that handle certificate related requests differently, i.e., requiring or not requiring approval from an entity associated with a requesting user, based on the type of user requesting the action. Rather, Hardy describes issuing representations of authority based on a set of enterprise policies but without mentioning obtaining approval from an entity associated with the requestor, identified in an identity profile for the requestor or otherwise.

In response to these arguments, the Office Action argues that “Hardy’s system directory allows him to distinguish between those employees communicating through secure authenticated connections and external users/clients/third parties communicating via a network.” (Office Action page 3) Even if accepted, this reading of Hardy seems to suggest distinguishing between network connect types, not between user types defined in a user profile of the users. Therefore, the Applicants respectfully contend that, as noted above and to paraphrase the claim recitations, Hardy does not disclose, expressly or inherently, workflows for performing certificate related actions that either call for approval from an entity associated with the user and identified in a user profile for the user or do not call for approval depending upon the type of user as indicated by a user profile for the user. That is, Hardy does not disclose, expressly or inherently, selecting workflows that handle certificate related requests differently, i.e., requiring or not requiring approval from an entity associated with a requesting user, based on the type of user requesting the action. Rather, to any extent that the Hardy may distinguish between different users, such distinction is based on a type of network connection the user is currently using, not based on a user type defined or indicated in a user profile for that user. Therefore, the Applicants respectfully maintain that Hardy fails to disclose, expressly or inherently, workflows for performing certificate related actions that either call for approval from an entity associated with the user and identified in a user profile for the user or do not call for approval depending

upon the type of user as indicated by a user profile for the user. Furthermore, Hardy does not disclose, expressly or inherently, obtaining and maintaining a real time status for certificates as recited in the pending claims.

More specifically, claim 1, upon which claims 2-15, 54, and 55 depend, claim 16, upon which claims 17-26 and 56 depend, and claim 27, upon which claims 28-37 and 57 depend, each recite in part “receiving at an Identity System a request for a first certificate related action for a first user wherein the first certificate related action is selected from a group consisting of a certificate enrollment action, a certificate renewal action, and a certificate revocation action; retrieving by the Identity System a first workflow for responding to said request from a plurality of workflows for responding to requests for certificate related actions, wherein each workflow in said plurality of workflows corresponds to a different set of characteristics for a user, wherein the first workflow contains a first set of directives and a second workflow in said plurality of workflows contains a second set of directives, wherein said first set of directives is different from said second set of directives, wherein said first workflow calls for obtaining an approval before performing a certificate related action for users having a first user type, wherein said second workflow does not call for obtaining an approval before performing a certificate related action for users having a second user type, and wherein retrieving the first workflow further comprises selecting the first workflow from the plurality of workflows based on the first certificate related action and a user type of the first user from a set of characteristics for the first user from an identity profile for the first user maintained by the Identity System being the first user type; performing said first workflow, wherein performing said first workflow comprises retrieving an approval response from an entity associated with the first user and identified in the identity profile for the first user and obtaining a certificate and a real time status for the certificate from a certificate authority based on the approval response; and storing the certificate and said real time status in the Identity System, wherein the certificate authority is external to the Identity System.” Hardy fails to disclose, either expressly or inherently, Hardy fails to disclose, either expressly or inherently, a first workflow which calls for obtaining an approval before performing a certificate

related action for users having a first user type and a second workflow which does not call for obtaining an approval before performing a certificate related action for users having a second user type. Hardy also fails to disclose obtaining an approval from an entity identified in a user profile for the user and obtaining a certificate based on that approval. Furthermore, Hardy does not disclose, expressly or inherently, obtaining and maintaining a real time status for certificates as recited in the pending claims. For at least these reasons, the Applicants respectfully request withdrawal of the rejection and allowance of claims 1, 3-14, 16, 18-25, 27, 29-36, and 54-57.

Claim 38, upon which claims 39-42 depend, claim 43, upon which claims 44-47 depend, and claim 48, upon which claims 49-52 depend, each recite in part “receiving a first request for a first certificate related action for a first user; retrieving a first workflow for responding to said first request from a plurality of workflows, wherein each workflow in said plurality of workflows corresponds to a different set of characteristics for a user, wherein said first workflow calls for obtaining an approval before performing a certificate related action for users having a first user type, wherein a second workflow of the plurality of workflows does not call for obtaining an approval before performing a certificate related action for users having a second user type, and wherein retrieving the first workflow for responding to said first request further comprises selecting the first workflow from the plurality of workflows based on the first certificate related action and a user type of the first user being the first user type; performing said first workflow, wherein performing said first workflow comprises retrieving an approval response from an entity associated with the first user and obtaining a first certificate and a real time status for the first certificate from a certificate authority based on the approval response; storing the first certificate and said real time status for the first certificate in the Identity System, wherein the certificate authority is external to the Identity System; receiving a second request for a second certificate related action for a second user; retrieving said second workflow for responding to said second request from said plurality of workflows, wherein retrieving the second workflow for responding to said second request further comprises selecting the second workflow from the plurality of workflows based on the second certificate related action and a

user type of the second user being the second user type; performing said second workflow, wherein performing said second workflow comprises obtaining a second certificate and a real time status for the second certificate from the certificate authority without retrieving an approval response; and storing the second certificate and said real time status for the second certificate in the Identity System.” Hardy fails to disclose, either expressly or inherently, Hardy fails to disclose, either expressly or inherently, a first workflow which calls for obtaining an approval before performing a certificate related action for users having a first user type and a second workflow which does not call for obtaining an approval before performing a certificate related action for users having a second user type. Hardy also fails to disclose obtaining an approval from an entity identified in a user profile for the user and obtaining a certificate based on that approval. Furthermore, Hardy does not disclose, expressly or inherently, obtaining and maintaining a real time status for certificates as recited in the pending claims. For at least these reasons, the Applicants respectfully request withdrawal of the rejection and allowance of claims 38-52.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/William J. Daley/
William J. Daley
Reg. No. 52,471

Appl. No. 09/998,893

PATENT

Amdt. dated March 30, 2010

Reply to Office Action of September 18, 2009 and the
Notice of Non-Compliant Amendment mailed March 16,
2010

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000 (Denver office)
Fax: 303-571-4321 (Denver office)
WJD:jep

62537644 v1